

**REMARKS**

Claims 1, 3, 6, 43, 54 -80 and 83-84 were rejected under 35 USC 112, first paragraph because the transitional phrase "consisting of" recited for the second coextruded layer in claim 1 cannot also contain the pigment, dye, or flakes. Applicants have amended the claim by reciting second coextruded layer comprising one polymer and optionally an additive that includes pigment, dye, and flakes.

In claim 1, the first coextruded layer is amended to "consisting essentially of an ionomer or an ionomer and an additive". As such, the first coextruded layer consists essentially of an ionomer or consists essentially of an ionomer and an additive.

The rejection is therefore submitted to be moot.

Claims 1, 3, 6, 43, 54-57, 60-61, 64, 66-67, 73-74, and 83-84 were rejected under 35 USC 102(b) over Fanselow because the examiner reasoned that Fanselow discloses a core layer of sort polymer including blends with ionomer *sandwiched* between outer and inside layers wherein the inside layer is an ionomeric copolymer . . .

Amended claim 1 distinguishes over Fanselow in that the first coextruded layer in claim 1 is a surface layer, not the core layer disclosed in Fanselow. That is, the first coextruded layer is not "*sandwiched*" between other layers.

The core layer disclosed in Fanselow is not a surface layer. As the examiner noted in the Office Action, citing Example 18 of Fanselow, the trilayer film (in Fanselow comprises an *inside* layer of SURLYN, *a core layer comprising a SURLYN/EMAC blend*, and an *outer* layer of EMAC (*italics applicants'*).

Claims 1, 3, 43, 56, 60, 64, 66, 73, 77, and 83-84 were rejected under 35 USC 102(e) over Mientus. The examiner reasoned that Mientus discloses multilayer film comprising a thermoplastic *core* layer having a first side and a second side, the core layer . . . comprising a polyolefin, a second polymer selected from ionomers; . . . (*italics added*).

As disclosed in Mientus, the colayer is reference numeral 16 and the first side (one of the skin layers) 18 and the second side (the other skin layer). The core layer is "sandwiched" between the two skin layers and is not an outside or surface layer.

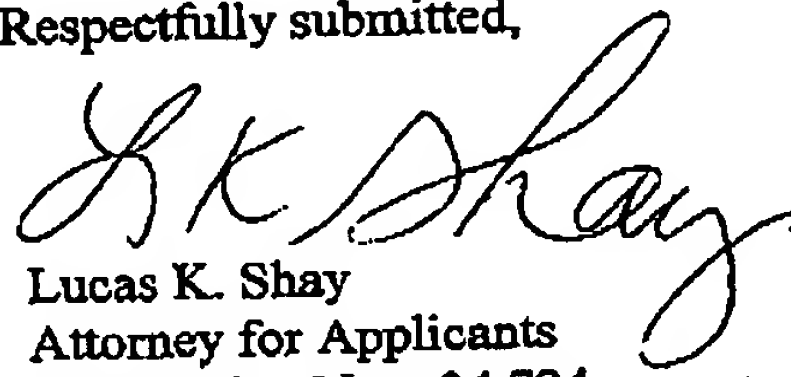
The rejection is also submitted to be moot for the reasons discussed above under the rejection over Fanselow. Similar to that discussed above, claim 1 distinguishes over Mientus in that the first coextruded layer in claim 1 is a surface layer, not the core layer disclosed in Mientus.

Application No.: 09/833452  
Docket No.: AD6728USNA

Page 10

Applicants therefore respectfully request that, when the claims are found allowable, applicants be allowed to amend those withdrawn claims (4, 7, 9, 11, 12, 14, 16-18, 20-42, 45, 47, 49, and 81) such that the scope of these claims conforms with the allowable claims.

Respectfully submitted,



Lucas K. Shay  
Attorney for Applicants  
Registration No.: 34,724  
Telephone: (302) 992-6154  
Facsimile: (302) 992-3257

Dated: October~~13~~, 2005